

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO, EASTERN DIVISION

BRENDA BICKERSTAFF	)	CASE NO. 1:14-CV-00831
	)	
Plaintiff,	)	JUDGE CHRISTOPHER BOYKO
	)	
vs.	)	<u>MOTION FOR LEAVE TO FILE</u>
	)	<u>MOTION FOR SUMMARY</u>
VINCENT LUCARELLI, <u>et al.</u> ,	)	<u>JUDGMENT OF DEFENDANT</u>
	)	<u>LUCARELLI</u>
Defendants.	)	

Now comes the Defendant, Vincent Lucarelli, by and through counsel, and pursuant to Civil Rule 56 moves this Court for leave to file his Motion for Summary Judgment.

As this Court is aware, this suit was filed on March 21, 2014 in the Cuyahoga County Court of Common Pleas and has been the subject of several Motions to Dismiss since its removal to this Court.. A dispositive motion deadline has never been set. ECF 34.

An attorney conference was held with the Court on April 10, 2015 after some of the parties and claims had been dismissed on Motions. Plaintiff's Motion for Order per Rule 54(b) was discussed and a briefing schedule on that Motion set. *See* Minutes 04/10/15 Attorney Conference. The Court indicated that it would rule on the Plaintiff's Motion and set dispositive motions at that time. *Id.*

The Court ultimately denied the Motion for an Order per Rule 54(b). ECF 95.

However, the Court did not set a deadline for dispositive motions at that time. Consequently, Defendant Lucarelli requests leave to so file his Motion. The Motion has been drafted since the Court's July 6, 2015 ruling and can be filed within 7 days of leave by this Court.

Respectfully submitted,

/s/ Kathryn M. Miley  
Ernest L. Wilkerson, Jr. (#0036972)  
Kathryn M. Miley (#0067084)  
Wilkerson and Associates Co., LPA  
1422 Euclid Ave, Suite 248  
Cleveland, OH 44115  
(216) 696-0808  
(216) 696-4970 facsimile  
[ewilkerson@wilkersonlpa.com](mailto:ewilkerson@wilkersonlpa.com)  
[kmmiley@wilkersonlpa.com](mailto:kmmiley@wilkersonlpa.com)  
Attorneys for Vincent Lucarelli

CERTIFICATE OF SERVICE

A copy of the foregoing was served on the parties through the Court's electronic filing system this 31st day of August, 2015.

/s/ Kathryn M. Miley  
Ernest L. Wilkerson, Jr.  
Kathryn M. Miley

City\Bickerstaff\motion for leave